

REMARKS

Initially, Applicants respectfully acknowledge that the Examiner has indicated that claims 3-7 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in the Office Action and to include all the limitations of the base claim and any intervening claims, and the Examiner has objected to claims 8-10 and has indicated that dependent claims 8-10 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

Claims 1-13 remain pending in the application.

Reconsideration of the rejections and allowance of the pending application in view of the foregoing amendments and following remarks are respectfully requested.

In the Office Action, claims 3-7 are rejected under the second paragraph of 35 U.S.C. 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention, because the “sliding unit” allegedly lacks antecedent basis in claim 1.

In response, claim 3 has been amended to be dependent from claim 2. Thus, claims 3-7 are now believed to be definite, and the rejection of claims 3-7 under the second paragraph of 35 U.S.C. 112 is now moot.

Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Morassi, WO 01/41617. This rejection is respectfully traversed.

A cleaner of a present embodiment, as recited in claim 1, include, inter alia, a suction motor mounted in a main body, and generating a suction force, a filter that collects dust or filth

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sucked by the suction force generated at the suction motor, a suction head connected with the filter by a suction tube, and sucking dust and filth on the floor, a brush installed in the suction head so as to ascend/descend linearly in a generally vertical direction, and sweeping dust and foreign substances into the suction head, and a brush height control apparatus installed in the suction head, to cause the brush to ascend/descend linearly in a generally vertical direction.

The Morassi reference cited to support the rejection does not disclose such a combination of features. In particular, in the present embodiment, as noted above, the brush height control apparatus makes the brush 18 ascend/descend linearly in a generally vertical direction. That is, the brush 18 of the present embodiment can ascend/descend linearly to meet at a generally right angle to a floor. At least, this feature is not disclosed in Morassi.

In contrast, Morassi discloses the adjustment assembly 14 making the brush 12 ascend/descend in a circular arc, as clearly shown in Fig. 1. More specifically, in Morassi the lever 26 for moving the brush 12 is pivot-connected to the extension 30 by the pivot 31 so that the lever 26 can only move with describing a circular arc, and thus the brush 12 cannot move linearly in a generally vertical direction with respect to a floor.

Thus, Morassi does not disclose each and every feature recited in claim 1, and thus cannot anticipate at least claim 1 of the present application.

Claim 1 is now in condition for allowance in view of the above-noted remarks. Claims 2-13 are submitted to be in condition for allowance in view of their dependence from a shown to be allowable base claim and also based upon the recitation of other features of the present invention. It is respectfully requested, therefore, that the rejections of claims 1 and 2 under 35 U.S.C. 102(b)

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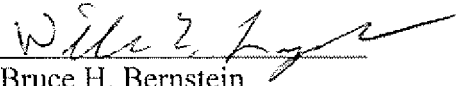
and of claims 3-7 under the second paragraph of 35 U.S.C. 112 be withdrawn and that an early indication of the allowance thereof be given.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based on prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to be attached thereto.

Based on the above, it is respectfully submitted that this application is now in condition for allowance, and a Notice of Allowance is respectfully requested.

Should the Examiner have any questions or comments regarding this response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
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